

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NIKE, INC.,

Plaintiff,

v.

S2, INC. D/B/A THE SHOE SURGEON;  
SURGEON WORLDWIDE, INC., DOMINIC  
CHAMBRONE A/K/A DOMINIC CIAMBRONE,  
AND DALLAS IMBIMBO

Defendants.

Case No. 1:24-cv-05307-NRB

~~PROPOSED~~ CASE  
MANAGEMENT PLAN AND  
SCHEDULING ORDER

NAOMI REICE BUCHWALD, United States District Judge:

WHEREAS, the parties in the above-captioned- matter have met and conferred pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, and agreed upon a pretrial schedule and other matters as set forth below:

It is hereby ORDERED as follows:

1. The parties **do not consent** to conducting all further proceedings before a United States Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences
2. Initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure shall be completed no later than **December 4, 2024**.
3. No joinder of additional parties or amendments to pleadings may be made after **February 28, 2025** absent a showing of good cause under Federal Rule of Civil Procedure 16, provided that this deadline does not restrict a party's ability to amend as of right or otherwise as permitted pursuant to Federal Rule of Civil Procedure 15.
4. All fact discovery is to be completed no later than **July 11, 2025**.
5. All expert discovery, including disclosures, reports, production of underlying documents, and depositions shall be completed by **October 10, 2025**.
  - a. For the party who has the initial burden of proof on the subject matter, the initial Federal Rule of Civil Procedure 26(a)(2) disclosure of expert testimony is due on or before **August 8, 2025**.
  - b. The supplemental disclosure to contradict or rebut evidence on the same matter identified by another party is due on or before **September 5, 2025**.

- c. Reply expert reports from the party with the initial burden of proof are due on or before **September 19, 2025**.


6. No later than **October 15, 2025** the parties are to submit a joint post-discovery letter updating the Court on the status of the case, including but not limited to whether either party intends to file a dispositive motion, what efforts the parties have made to settle the action. If either party contemplates filing a dispositive motion, the parties will propose a dispositive motion briefing schedule in this post-discovery letter.

7. Per Section 3 of the Court's Individual Practices, the Court shall later set a schedule for pretrial filings, including the pretrial order, jury charges, *in limine* motions, proposed findings of fact and conclusions of law, other pretrial memoranda as appropriate, and also the pretrial conference.

8. The parties shall provide a status update to the Court every 60 days.

SO ORDERED.

Dated: December 5, 2024  
New York, New York

  
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Naomi Reice Buchwald  
United States District Judge